# SENATE PASSES DIVORCE BILL

ONLY TWO REPUBLICANS RE-CORDED IN THE NEGATIVE.

The Bill Provides That Final Judgment Shall Not Be Entered Until Three Months After the Decree Is Filed-The nual Appropriation Bill Passed.

ALBANY, Feb. 11.-One of the Governor's bills, which at first met much opposition, passed the Senate to-day by a vote of 30 o 15. It was Senator Elsberg's measure, which provides that final judgment in a divorce suit shall not be entered until three months after the filing of the decree. The only Republican Senators to vote against the bill were Brackett and Thornton. The bill was discussed for some time, Senator Grady again leading the attack on it, while Senator Brackett said he would vote for it if the amendments he suggested were adopted. He wanted the bill to accord the right of immediate appeal from the interlocutory judgment in the same manner as final judgments in other actions are now reviewed, so that a party desiring to appeal would not have to wait three months. Senator Elsberg opposed all amendments, and the Brackett amendment was defeated by a vote of 32 to 13.

Another change proposed by Senator Brackett, which was also defeated, provided that after the rendering of a decision in a divorce case the party against whom such decision is rendered shall have no property rights arising from the marriage relation, nor any rights of administration until the judgment entered upon such decision shall be reversed. Senator Brackett said that those who voted for the bill as it stands, under the idea that they were making an improvement in the di-vorce laws and along high moral lines, ere making a very great mistake. The

Mil was then passed The bill is favored, said Senator Elsberg, by many prominent lawyers in New York city, and is aimed to prevent the scandals which now cloud the divorce courts. The bill will take effect on Sept. It amends section 1,774 of the Penal de by adding at the end thereof the

following:

No final judgment annulling a marriage or divorcing the parties and dissolving a marriage shall be entered, in an action brought under either article first or article second of this title, until after the expiration of the Court or report of the referee. After the expiration of said period of three months after the filing of the decision or the Court or report of the referee. After the expiration of said period of three months final judgment shall be entered as of course upon said decision or report, unless for sufficient cause the Court in the meantime shall have otherwise ordered. Upon filing the decision of the Court or report of the referee, a judgment annulling a marriage or divorcing the parties and dissolving a marriage shall be interlocutory only and shall provide for the entry of final judgment granting such relief three months after the entry of interlocutory judgment unless otherwise ordered by the Court.

In order to prevent a repetition of the

Interlocutory judgment unless otherwise ordered by the Court.

In order to prevent a repetition of the occurrence recently discovered in connection with the Westchester Water Company using the city water and securing 1,000,000 gallons a day without paying for it. Assemblyman Seymour to-day introduced a bill, at the request of Water Commissioner Dougherty of New York city, making it a misdemeanor to tamper with a water meter. Gas companies have that protection now by law and Mr. Seymour says the city should have the same protection for its water supply, and that if his bill is passed there cannot be another instance of people using water without paying for it.

Another bill desired by the New York city administration introduced by Assemblyman Seymour authorizes the city to make another appropriation for the completion of the Westchester avenue bridge over the Bronx River.

pletion of the Westchester avenue bridge over the Bronx River.

By a vote of 30 to 15 the Senate passed Assemblyman Graeff's bill restoring to the statute books the Anti-bob Veal law which was inadvertently repealed last year.

The Assembly passed the Ways and Means bill appropriating \$400,000 to pay the first installment of the State's debt incurred during the Spanish-American War. The Assembly also passed Mr. Morgan's bill, which prohibits the changing of the minutes of a Supreme Court stenographer. bill, which prohibits the changing of the minutes of a Supreme Court stenographer.

Assemblyman Patton's bill, giving the State Banking Superintendent jurisdiction over personal loan associations, was passed by the Senate by a vote of 40 to 5. The bill also reduces the rate of interest that may be charged by these associations from three cents a month to 10 per cent. a year.

Despite the objection raised by Sanator

three cents a month to 10 per cent. a year. Despite the objection raised by Senator Grady to the item making an appropriation of \$110,000 to pay the deputies of Supt. McCullagh of the metropolitan elections district, the Senate passed the annual appropriation bill. This is the earliest time on record that this bill has passed both

These bills were introduced: These bills were introduced:
Senator McCabe—Providing that angling shall be lawful in all of the inlets and salt water creeks and bays on the south side of Long Island on every day of the year.
Senator Wiley—Reserving for the use of canal boats and barges docks on the North River in New York city, between West Fifty-first street and West Fifty-fourth street.
Senator Ellsworth—Appropriating \$13,000 for the erection of a monument to the memory of New York State troops which took part in the campaign and siege of Vicksburg.
Senator Malby—Last year's Pure Beer bill.

bill senator White—Providing for the licensing of dogs in cities of the second class. Senator Green—Exempting commercial travellers from jury duty.

Also abolishing the labor system of taration for highway purposes.

Senator Slater—The City Club's proposed new election law, based on the Massachusetts law. The bill is two years old.

Mr Sulzberger—Giving the Board of Taxes and Assessment in New York city authority to make corrections in the assessment of bank shares in New York city made under

to make corrections in the assessment of bank shares in New York city made under bank shares in New York city made under the law of last year.

Mr. Ash-Requiring all superintendents, foremen and inspectors on State and mu-plcipal works to pass examinations showing

their competency.

Also requiring all work of repairing sidewalks, streets and other thoroughfares in
all cities to be done by day work instead
of by contract, and no person who is not a
citizen of the United States can be employed
on the work

Senator Trainor introduced a bill amend-ing the Insurance law, prohibiting the in-surance of children under the age of 13. It affects only life insurance comaffects only life insurance com-nies transacting what is known as industrial, or weekly payment plan, insurance. The Senator says that the object of the bill

is to prevent child murder.

Senator McKinney's bill, empowering the Governor to appoint a committee to investigate the feasibility of establishing a forest park in Suffolk county, was reported favorably in the Senate to-day. The bill was amended by providing that the Commissioners shall receive only their expenses.

nator Krum introduced a bill amending the Inheritance Tax law, which seeks to reach for purposes of taxation securities or assets belonging to an estate which at the time of the death of the decedent are in the possession of a trust or safe deposit company. It makes such com-panies liable for the surrender of such securities taxable under the Inheritance

Annual Meeting of Home opaths. ALBANY, Feb. 11 .- The New York State Home pathic Medical Society is holding its fiftieth annual meeting in this city. President John T. Greenleaf of Owego, in his annual address, thought that Albany as a meeting place was not central and that he wanted a change of date and place. The banquet of the society occurred at the Hotel Ten Eyck to-night.

No Change of Date for State Fair. ALBANY, Feb. 11.-The State Fair Commission, at a meeting held in this city today, decided not to change the date of the State Fair from the last week in August to the second week in September. The change was desired so that the Grand Circuit trotting races might be held in connection with the fair.

#### PENNSYLVANIA TUNNEL BILL. Redrafted and Reported to the Senat for Reprinting

ALBANY, Feb. 11.-Senator Stranahan's bill permitting the Pennsylvania Railroad to have a terminal on Manhattan and Long islands, by way of tunnels from the Jersey shore, has been redrafted and to-day it was reported by the Senate Cities Committee for reprinting.

"The only change in substance in the bill," said Senator Stranshan, to-day, "is that the Board of Aldermen may grant a perpetual tunnel franchise for an 'annual' instead of a 'reasonable' compensation. The new bill is favored by Corporation Counsel Rives and the city authorities, and also by the solicitors for the Penn-sylvania road."

The new bill will add a new section to the New York City Charter, to be known as section 78 and to read as follows:

the New York City Charter, to be known as section 78 and to read as follows:

Notwithstanding anything contained in the Greater New York Charter, the Board of Aldermen, with the approval of the Board of Estimate and Apportionment, is hereby authorized in its discretion to grant to any railroad corporation now or hereafter incorporated for the purpose so declared in its articles of association of constructing and operating a tunnel railroad or railroads in the city of New York to be connected with the railroad or railroads of any corporation or corporations now existing or hereafter organized, whether under the laws of the State of New York or of any adjoining State and thereby forming a continuous line for the carriage of passengers and property between a point or points within and a point or points without the city of New York, a franchise right or consent either with or without limitation as to the period of enjoyment, and either with or without provisions as to rates, fares and charges, for the construction and operation, under any lands, streets, avenues, waters, rivers, parkways, highways or public places in the city of New York, of such tunnel railroad or railroads, with all necessary sidings, platforms, stations, facilities for access to the surface and other appurtenances and with the right to emerge to the surface upon private lands at the termin.

Every such grant shall contain and be subject to conditions requiring payment to the city of New York by the railroad corporation of a reasonable annual compensation therein prescribed, which shall be readjustable at intervals of not less than twenty-five years, and prescribing a period within which said railroad shall be completed; and every such grant such other conditions as the said boards may deem necessary to secure the maintenance of the property in good condition, efficient public service within the city limits, and the operation of the railroad in such a manner as to insure the public health and safety.

FOR MRS. ODELLYS FUNERAL.

FOR MRS. ODELL'S FUNERAL. State Officers and Legislators Will Go Newburgh To-day.

ALBANY, Feb. 11 .- A party of State officers and legislators will leave this city to-morrow morning for Newburgh, on a special train, to attend the funeral of Mrs. Odell, mother of Gov. Odell. The party will include Chief Judge Alton B. Parker of the Court of Appeals, Secretary of State John T. McDonough, Attorney-General John C. Davies, State Engineer and Surveyor Enward A. Bond; Senators Ellsworth, Grady, Higgins, Goodsell and Thornton; Speaker Nixon and Assemblymen Allds, Palmer, Kelsey, Traub and Cadin; Col. George W. Dunn, Adjutant-General Nelson H. Henry, Col. Ashley W. Cole, Supt. Francis Hendricks of the State Insurance Department, State Commissioner of Excise P. W. Cullinan, Supt. F. D. Kilburn of the State Banking Department, Superintendent of Public Buildings H. H. Bender; James G. Graham, Secretary to the Governor; Supt. Charles S. Boyd of the State Department of Public Works and Col. Reuben L. Fox, Secretary of the Republican State Committee.

At a meeting of the heads of the various State departments this morning a committee consisting of Attorney-General Davies, State Historian Hastings and Adjutant-General Henry was appointed to draft resolutions, which are to be suitably engrossed upon a scroll and bound in morocco. State Engineer and Surveyor Bond, Mr. Graham, secretary to the Governor, and Comptroller Miller were appointed a committee to prepare a suitable floral memorial.

The Senate and Assembly both voted to postpone the hour of meeting to-morrow to noon, in consideration of the fact that the funeral is set for 11 o'clock. Dunn, Adjutant-General Nelson H. Henry,

FORD FAVORS DONNELLY BILL Framer of Original Franchise Tax Plan

Thinks Present Law Will Be Upset. ALBANY, Feb. 11.-Before the Senate Taxation Committee this morning ex-Senator John Ford, the framer of the original Special Franchise Tax bill, which has been reintroduced by Senator Donnelly (Dem., N. Y.), said there were grave Constitutional questions connected with the existing Special Franchise Tax law, which was passed by the special session of 1899.

Mr. Ford indicated that he had no hope that, when the case reached the Court of Appeals, its Constitutionality would be

upheld.

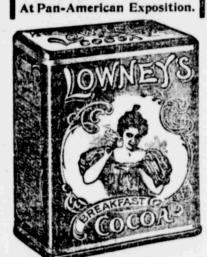
"If the Donnelly bill becomes a law,"
said Senator Ford, "there will be on the
statute books a clean-cut Franchise Tax
law of undoubted Constitutionality, which will bring into the treasuries of the localities of the State from \$10,000,000 to \$15,000,000 a year instead of \$3,500,000, and save to the a year instead of \$3,500,000, and save to the local treasuries of the State the hundreds of thousands of dollars that are specifically taken out of the State treasury by the existing law in the form of deductions of payments now made to local treasuries from the taxes levied under the Franchise Taxlaw."

Tax law."

The committee took no action, and the sentiment did not seem favorable to acting on the bill as long as the Constitutionality of the present law is in doubt.

Senators to Greet Prince Henry. ALBANY, Feb. 11 .- Lieut.-Gov. Woodruff has appointed Senators White, Brown, Fuller, Wagner and Ramsperger as a committee to represent the Senate at the reception to Prince Henry of Prussia, in this city.

# Gold Medal



## Unlike Any Other!

The full flavor, the delicious quality, the absolute purity of Lowney's Breaktast Cocoa distinguish it from all others.

No "treatment" with alkalies. no adulteration with flour, starch or ground cocca shells: nothing but the nutritive and digestible product of the choicest cocca Beans.

Ask Your Dealer for It.

## HORSE STARTS A FIERCE BLAZE

MAN BURNED TO DEATH BY ITS LEAP THROUGH A WINDOW.

Window Went, Frame and All, and the Stove Was Overturned -Assemblyman Rellley's Father, Sitting by It, Caught in

Fire and Left to Die -Shops Destroyed. Terence F. Reilley of 800 West Fortysecond street, the father of Assemblyman Richard S. Reilley of the Thirteenth district, was burned to death yesterday afterday in a fire caused by a skittish horse which broke away from a groom while being exercised, jumped through a window into a carpenter and paint shop at 1628 and 1630 Broadway, and overturned a stove. Around the stove were sitting three men, one of whom was Reilley. His companions escaped. When the fire had burned up the shops Reilley's body was found.

The paint shop was run by David Crouter of 348 West Forty-eighth street and the carpenter shop by John T. McHugh of 838 Eighth avenue. The shops had no partition between them and were heated by a stove which stood near the window. McHugh, Crouter and Reilley were sitting

McHugh, Crouter and Reilley were sitting around the stove talking when the horse jumped directly into the shop window.

The animal came through as if he had been trained for the jump. The window went, frame and all, with a crash, showering broken glass, and the animal landed on the stove. The stove went over, scattering a bushel of hot coals and ashes in the carpenter shop shavings and starting a fire penter shop shavings and starting a fire in an instant.

in an instant.

The horse jumped out again. McHugh and Crouter, who were both badly cut by glass, stumbled to the door and got out. As Crouter ran to the door he turned back for Reilley, whom he saw running to the rear of the shop. The fire was already burning between the two men.

"Come this way" shouted Crouter.

"I can't," replied Reilley, with a groan. Crouter says he was then forced to go on. Meanwhile, somebody had turned in a fire alarm. The carpenter and paint shops were in a fierce blaze. They were only one and a half stories high, but stood in a row of frame buildings which might easily one and a nair stories high, but stood it a row of frame buildings which might easily have gone up in smoke with the brisk breeze that was blowing if the firemen hadn't worked their hardest. As it was, the fire was confined to the two shops, which were destroyed

was confined to the two shops, which were destroyed.

While the firemen were working inside the shops they found Reilley's body in a corner near where the fire had started. Then the police started on a hunt for the horse. Persons in the crowd said it had been caught and turned over to a man, but up to a late hour last night the police hadn't found the horse, its owner or anybody responsible for it.

Reilley was 62 years old and an old resident of the Thirteenth Assembly district. He was engaged with his brother, Richard S. and his sons, Richard S. and Mortimer G., in the manufacture of painters' supplies

and his sons, Richard S. and Mortimer G., in the manufacture of painters' supplies and advertising signs at 322 West Forty-first street. He had two daughters.

His relatives last night sent word of his death to his son, the Assemblyman, who was at Albany. They were outspoken in their accusations against the police, who they said showed negligence in not finding the owner of the horse which caused the fire. Reilley had suffered from heart disease and his family think that this may have possibly caused his death, although he was badly burned.

#### CORPORATION TAX HEARING. Senator Krum Interrupts Lawyers Who

Argue Against His Bill. ALBANY, Feb. 11.—The Taxation com-mittees of the two branches of the Legislature gave a final hearing to-day on the Foreign Corporation Tax bill recommended by the Governor and introduced by Senator Krum and Assemblyman Morgan. The bill is on the order of third reading in the Senate and in committee in the House. It may pass the Senate this week. Thomas S. Thacher of New York city, of the law firm headed by ex-Speaker Thomas B. Reed, and Frank White and Richard S. Harvey of New York city appeared in opposition to

Mr. Thacher was interrupted so often by Senator Hobert Krum of Schoharie, who mittee, that several times he threatened to end his remarks abruptly. Senator Krum pursued the same tactics at this morning's session of his committee, when former Senator John Ford was arguing in favor of Senator Donnelly's Special Franchise Tax bill. His interruptions of Mr. Ford were so frequent and so ill-timed that Mr. Ford picked up his papers and stopped. Other members of the committee, however. nterfered and the matter was patched up

and Senator Ford continued his argument. Senator Krum's attitude toward all per-Senator Krum's attitude toward all persons who appear in opposition to measures before his committee is such that it is hard to get lawyers or others to appear before the committee. He puts questions to those who appear before his committee and practically refuses to allow them to answer, except along lines which he desires. The attorneys who appeared in opposition to the bill to-day declared that the present corporation laws of the State should be allowed to stand and that the bill in its present shape favored wealthy should be allowed to stand and that the bill in its present shape favored wealthy corporations with millions of capital. Mr. White laid special stress upon the fact that the wealthy corporations would pay a reduced tax under the bill. He pointed out that the H. B. Claffin Company, which was organized in New Jersey with a capital of \$9,000,000, now pays a tax of \$7,700 in this State and would pay only \$4,200 under this bill, and that the BrooklynRapid Transit Company, which pays a tax of \$52,000, under the proposed law would pay a tax of only \$5,900. Mr. White insisted that retaliatory legislation by other States retaliatory legislation by other States would follow the enactment of the Krum

oill.

Mr. Harvey who represented mining companies operating in Western States, companies operating in Western States, with millions of dollars of capital invested with millions of dollars of capital invested in those States, but which were incorporated in this State, would be driven to incorporate in other States if the bill is passed.

Thomas S. Thacher, representing foreign corporations doing business in this State, said the enactment of the bill would drive capital from the State and not directly or indirectly increase the State's revenues or taxable values.

"The amendments proposed involve the same injustice," he said, "as the Corporation Tax law of 1889 in taxing a foreign

same injustice," he said, "as the Corpora-tion Tax law of 1880 in taxing a foreign corporation doing business here upon its entire capital, whether doing much or

Senator Krum asked the attorneys present what suggestions they would make toward amending the bill. The general reply was that the till should not be allowed to pass and that the present laws be allowed to

ALBANY, Feb. 11.-The bill providing for a submission to a vote of the people this fall the question of expending \$28,000,000 to provide for barge locks and to complete the nine foot improvement of the Erie canal, had a hearing to-day before the Senate Canals Committee. The representatives of commercial interests of New York and Buffalo and other cities along

Hearing on Canal Improvement Bill.

ar before the Legislature in favor of con-ning canal improvements, were on hand The canal improvement advocates are sanguine that they will secure this legisla-tion this year, but such is not the impression of those connected with inner legislative

the line of the canal, who were present

Alfred Benjamin & Co. Incorporated. ALBANY, Feb. 11 .- Alfred Benjamin & Co. of New York city was incorporated to-day with a capital of \$1,000,000 to manu-Josephi, A. F. Hochstadter, E. S. Benjamin, Joseph Jacobson, N. G. Hochstadter, L. B. Hausman, E. A. Josephi, E. S. Mey's and Max Zandr of New York city.

# LOCAL OPTION BY DISTRICTS.

Representatives of Temperance Societies Advocate the Bennett Bill.

ALBANY, Feb. 11.-Representatives of nearly every temperance society in the State appeared before the Assembly Excise Committee this afternoon in advocacy of Assemblyman Bennett's bill providing for local option by election districts and the placing of hotels and clubs on the same basis as saloons. The principal speakers for the bill were Mrs. Carrie Boole, State President of the W. C. T. U., the Rev. Dr. David James Burrell of New York city, Howard H. Russell, President of the New York State Anti-Saloon League, and John F. Brandt of Buffalo, State Superintendent of the Anti-Saloon League. The speakers declared that if the local contion privilege was given the voters of

The speakers declared that if the local option privilege was given the voters of the State by districts, it would only be a short time when New York would be known as a prohibition State. Mrs. Boole did not want to give the sanction of the W. C. T. U. to anything that would regulate the sale of liquors, but she was opposed to anything that would permit its sale on Sunday, and for that reason advocated the Bennett bill. The committee took no action on the bill and no one spoke in opposition.

HIGH SCHOOLS OF THE STATE Increase in Number of Schools and in the Number of Graduates.

ALBANY, Feb. 11.-The annual report of the High School Department of the State Board of Regents shows that at the beginning of the current fiscal year there were 746 institutions of secondary education in the State, an increase during the year of 36. High schools expended \$3,596,677 and academies \$2,105,043. The average exacademies \$2,105,043. The average expenditure in each secondary school was \$68 for each student, as compared with \$76 in 1900, a decrease of \$8. The number of graduates holding four years' or higher credentials is 6,403, an increase of 1,203. The whole number of academic diplomas issued during the past year was 4,134, which is 32 per cent. of the number of preliminary certificates issued in 1897. This indicates that one-third of all the students who entered the high schools of the State in 1897 completed a four-year course and graduated in 1901.

CARPENTERS' STRIKE GROWS. Extends to Other Cities, and Is Now Death Struggle of Rival Union.

The strikes of carpenters ordered last week against the George A. Fuller company by the Brotherhood of Carpenters, to force the discharge of members of the Amalgamated Carpenters' Society, were extended yesterday to buildings in Pittsburg on which the Fuller company has contracts. Strikes have also been ordered on the buildings in Boston, Richmond, Va., Philadelphia and other cities where the

Finiageipina and other cities where the Fuller company has contracts.

No question of wages or hours of labor is involved in the strikes, although about 700 men are out so far. The Amalgamated Carpenters' Society is an English union, with branches in different cities throughout the United States, and the object of the Bretherhead is to when it out of experience. he Brotherhood is to wipe it out of existence

Vice-President McConnell of the Fuller Vice-Fresident McConneil of the Fuller Construction Company said to a Sun re-porter yesterday that so far the company had been able to replace the strikers with other union men. The two unions both belong to the Building Trades Council, which is holding aloof in the matter.

#### Wages Raised 25 Per Cent.

PORT JERVIS, N. Y., Feb. 11 .- James Orr. proprietor of the Orr, Jr., overall factory of this place, to-day announced to operators that, beginning with April 1, an advance of 25 per cent. would be given them. The 25 per cent. would be given them. The announcement was a complete surprise to the operatives and they showed their appreciation by giving three hearty cheers for Mr. Orr The advance came without the presentation of any grievance, as their wage scale was satisfactory. Mr. Orr made the raise to show his appreciation of the great improvement in the quality of the work of his employees.

## Icemen Strike for More Pay.

KINGSTON, N. Y., Feb. 11.—About 400 M men employed by the is chairman of the Senate Taxation Com-mittee, that several times he threatened to this morning shortly after going to work. They demanded an increase of 25 cents per day, or from \$1.75 to \$2. The increase was refused and the men quit. They were the workers in the rooms, the men on the ice fields having made no demands for higher

Ben Tillett Says He's Not Here for Money. A letter was received yesterday by the Central Federated Union from Ben Tillett, the English labor leader, replying to statements made at Sunday's meeting of the C. F. U. that he is charging exorbitant fees for speaking at meetings and running up big bills for expenses. He says that instead of using the labor unions to add to his finances he will leave this country with less money than he had when he came

#### JUST A VACCINATION BEE. Stewart Building Alarmed by Feminine Shricks From Finance Department.

Great commotion was caused in the Stewart Building yesterday when the screams art Building yesterday when the screams of women were heard coming from one of the rooms of the Finance Department where about a score of girl typewriters and clerks are employed. The men working in other officers rushed to the room. The door was locked. When the men hammered at it and demanded admittance a Health Department physician opened it and explained that the women were merely being vaccinated.

Thirteen new cases of smallpox and one death from the disease were reported yesterday to the Health Department. In compliance with an order of Col. Partridge nearly everybody at Police Headquarters was vaccinated. Next Thursday it will be the turn of the patrolmen in the precincts.

#### ST. PAUL VACCINATION ORDER. All Employees of the Railroad to Hav Their Arms Pricked.

MILWAUREE, Wis., Feb. 11.-The Chicago Milwaukee and St. Paul Railroad has issued a general order calling on all employees of the railroad to submit at once to vacci-

# **TURKISH CIGARETTES**

stand to-day where they have stood every day for the last twenty years—as the best 10 cent TURKISH cigarette for sale in this country.

10 cents for 10 cigarettes

Monopol Tobacco Works. 250 West 27th Street, N. Y. City

#### COWEN'S EXPERT HAD A CRIB.

LEIPZIGER PUT OUT OF AD-VERTISERS' EXAMINATION.

Supervisor of the "City Record" Wanted Him Very Much to Fill a Newly Created Office-Examiner at Civil Service Examination Grabs the Crib.

Nathaniel S. Leipziger, who is a brother of the supervisor of lectures of the Board of Education, and who has been serving as advertising expert in the office of the City Record, under a temporary appointment made by Supervisor Cowen, was caught yesterday using a "crib" in the civil service examination for the office which he now holds and was excluded from the examination.

Cowen abolished the office of examiner in the City Record bureau and the eligible list of candidates for the office fell to the ground. He substituted for it the office of advertising expert, and appointed Leipziger two weeks ago, the appointment to hold until the Civil Service Commission

could prepare an eligible list. The examination began yesterday morning, and it was found that Leipziger had not applied properly for examination. Examiner Gallagher refused to allow him to take the examination. Leipziger went to Secretary McAneny of the commission, and Mr. McAneny arranged things so that

the rules were not enforced against him. Leipziger entered the room late, and took his seat. Around the walls in conspicuous places are copies of the rules of the board, and one of these, No. 10, says:

Any candidate attempting to use any book or manuscript or attempting to copy from the papers of another candidate shall not be allowed to continue the examination.

Soon after Leipziger entered the room Miss Brown, who was the clerk of the examination, thought that he was acting strangely and called Mr. Gallagher's attention. Mr. Gallagher watched Leipziger and, according to Chief Examiner Ireland, saw him take a book from his pocket.

Mr. Gallagher went over at once, attracting the attention of all of the score of tracting the attention of all of the score of men who were taking the examination by the rapidity of his movement, and grasped Leipziger's hand while it clutched the book. Mr. Gallagher took the book and found that it was a guide for advertisers, in which were the data on which the examination was founded. Had Leipziger been able to get the book open and to use it he would have been able to answer all the technical questions correctly, and thus to win the head place on the eligible list.

list.

Mr. Gallagher enforced the rules and excluded Leipziger from the examination at once. The matter was reported to Chief Examiner Ireland, who said afterward that Leipziger would be excluded from the examinations for this particular office, and that he might be excluded from all other examinations. If he is allowed to take any examinations he will be watched all the time.

all the time. Leipziger made no defence when Mr. Leipziger made no defence when Mr. Gallagher caught him.

Cowen seemed to think that the incident was of little importance. He did not dismiss Leipziger from his temporary employment. At the next meeting of the Board of City Record the matter may be brought up for investigation.

All the other candidates for the office are gold to see the cribber caught. The

were glad to see the cribber caught. The examiners say that this is the worst case of cribbing they have found since Sergeant Brown of the Police Department was caught some time ago.

## G. N. Y. Democracy Election.

The Greater New York Democracy of the Twelfth Assembly district has elected the following officers: President, Max Rosen; Vice-President, Bernard Keenan; Treasurer and Executive Committeeman, Seiler. The officers reported 400 new mem-bers enrolled, including seventy from Tammany Hall. Nathan Neustead; Secretary, Sigmund

Tammany Hall.
In the Twenty-eighth, the organization
has chosen John Otto executive committeeman and Louis Bensinger, chairman.
The Twenty-sixth has chosen Vincent W.
Woyhsek executive committeeman and
John Rushall, chairman.

John Rushall, chairman.

Members of the faction led by John H.
Thorbush who are seeking to oust Deputy
Register Matthew P Breen from the Greater
New York Democracy leadership in the
Thirty-fourth district called at The Sun
office yesterday and denied that they had
made a disturbance at the organizing convention on Monday night. Patrick Gordon,
one of the leaders of the Thorbush party,
said:

said:
"We had an enrollment of 389 names, but Breen refused to accept the enrollment. We shall contend that ours is the regular We shall contend that ours is the regular organization and will fight Breen at the The Twenty-first Assembly district has

elected James L. Conway executive committeeman from the district and James F. Bush, chairman.

#### KINGS COUNTY DEMOCRATS. Proposition to Increase the Number of the

Executive Committee. The Kings County Democratic General Committee met in the Thomas Jefferson

Building, Court Square, Brooklyn, last night. Former Police Commissioner York, as chairman of the Committee on By-Laws, offered a number of amendments to the by-laws, but as there was not a majority of all the delegates present no action could be taken. The amendment will be taken up as special business at the next monthly meeting. One of the amendments would increase the representation in the General Committee. This will be done by the election of one delegate for every 350 voters cast for the Democratic nominee for Governor. The present number of delegates is 210, and the new apportionment would

give 310. Another amendment increases the Executive Committee. As at present constituted it contains one delegate from each of the twenty-one Assembly districts. The amendment provides for one delegate from each of the twenty-one Assembly districts, the officers of the General Committee and the Eigense Committee and the Finance Committee, which is to consist

of ten members.
Former Councilman William A. Doyle,
whose leadership in the Seventh Assembly
district has been contested since last fall
by Assistant Corporation Counsel Luke D. by Assistant Corporation Counsel Luke D. Stapleton, won a victory over the Stapleton forces last night. He moved to have M. J. Ryan elected a delegate in place of Kyran J. Farrell, deceased. The vcte was 39 to 5 in favor of Mr. Ryan's election. As soon as it was announced that Mr. Ryan had been elected Thomas F. Wogan handed in the resignation of Thomas F. Wogan, P. J. O'Connor, A. W. Maul, Alderman Patrick H. Malone, James Garroway, Daniel Ryan and Patrick Welch as delegates to the General Committee from the Seventh Assembly district, the resignations to take effect immediately. A motion to lay the resignations on the table until the next meeting was carried.

It was noticed that the secretary, in

meeting was carried.

It was noticed that the secretary, in calling the roll, neglected to mention the name of Chairman Richard W. Bainbridge, who is in the West, and the other members of the old Shepard organization who were recently elected delegates. He subsequently said this was an oversight

#### PEDLERS GO STRAIGHT TO LOW. Police Tell Them Mayor Said "Move Them On"-Smells Like a Tammany Trick.

Nearly a thousand st Side pushcart pedlers marched to the City Hall yesterday in a body to see the Mayor and protest against being moved on perpetually by the police.

The spokesmen were Siegmund Schwartz and Abram Benowitz of the Fish Pedlers Association and Charles Attenberg of the East Side Pedler's Association. Meyer Schoenfeld also described some of the grievances of the pedlers. The Mayor was told that although the

The Mayor was told that although the pedlers had licenses, they had nevertheless been arrested, and had not been allowed to stand thirty minutes in one place. The police of the Eldridge street station, one of the delegates said, had stated that the instruction they had received to drive the pedlers from the streets came from the Mayor himself.

Mayor himself.

"I have given no such instructions.
What does it mean?" Mr. Low, asked turning to Mr. Reynolds.

"No such order has been issued from this office," Mr. Reynolds replied. "A complete."

office," Mr. Reynolds replied. "A complaint was received here some time ago and it was reported to the Police Department for investigation and report."

The Mayor said that it was the first he had heard of any trouble. He sent for Marshal George W. Brown of the Bureau of Licenses and questioned him. Mr. Brown said he knew nothing of the raids. He added that the ordinance which permitted pediers to stand in one spot only long enough to serve a customer had fallen into disuse several years ago.

enough to serve a customer had fallen into disuse several years ago.

Mayor Low promised the delegation that he would investigate the matter and see what could be done. He said he thought a modus vivendi could be found.

The crowd marched silently away, asking Meyer Schoenfeld what a modus vivendi was good for.

The policemen of the Eldridge street station denied vetering that they had told

The policemen of the Eldridge street sta-tion denied yeterday that they had told the pedlers that Mayor Low wanted them

#### DEFEND MARRIAGE BUREAU. Some Aldermen Want to Retain It-Com mittee on Laws to Report on It.

When the Aldermen met yesterday President Cantor of Manhattan offered a resolution repealing the ordinance permitting the establishment of a marriage bureau in the City Hall. Alderman Goodman was not in favor of

abolishing the bureau, but thought that needed reforming. Alderman Harburger, whose recent mar-riage of a sixteen-year-old girl has figured in the agitation to do away with the bureau, insisted that it was necessary that some well-known place should exist in the city where civil marriages could be performed. Little Tim Sullivan said the attaches of the bureau were anxious that an investi-gation should be made of the conduct of the bureau. He added that in the five years prior to Jan. 1 last there had been only one anonymous complaint against the bureau, while since the present ad-ministration had been in power there had

been fifteen.
There were plenty of complaints that were not anonymous when Tammany was in Cantor said that the communica-

tions he had received had not been anony-meus. He carried a motion to refer the resolution to the Committee on Laws and Legislation. Little Tim voted with him. Fusion Steering Committee.

The Fusion Aldermen caucussed yes-

terday on choosing a leader. They de-

# cided to have, instead, a steering com-mittee of seven, representing all the bor-oughs. Borough President Cantor is likely to keep on leading. Alderman Goodman's retirement as leader has apparently been accepted as fact.

Hospitals to Get Their Coal. The Aldermen yesterday agreed to an emergency appropriation to buy coal and supplies for Bellevue and the other city

Mayor Low's 87,500 Engineer. The Aldermen have agreed that the salary to be paid to the engineer to be ap-pointed by the Board of Estimate shall be \$7,500 a year.

NO TO 20-YEAR ASSESSMENTS Grout Says Installment Bill Would Ruin the City's Credit

Comptroller Grout was asked yesterday by a delegation of property owners to support a bill to make assessments against property for public improvements payable in twenty annual installments.

Mr. Grout said he was emphatically opposed to such a measure. So was the Mayor. A measure of that kind, Mr. Grout Mayor. A measure of that kind, Mr. Grout explained, would destroy the credit of the city, because it would result in the beginning of a large amount of public work in all the boroughs. The bond issues for the work would quickly exhaust the borrowing capacity and keep it exhausted for the twenty years allowed for the collection of the assessments. Even if such a bill was the assessments. Even if such a bill was passed by the Legislature, Mr. Grout said, he would appeal to the Governor to veto it. Mayor Van Wyck vetoed a similar bill.

Seven-Hour Law for City Clerks. A resolution to make the hours of the city department clerks from 9 to 4 and on saturdays from 9 to 12 was offered at the Aldermen's meeting yesterday by Alder-man Doull and referred to the Committee

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